

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS AT WORCESTER

FILED  
IN CLERKS OFFICE  
2004 APR 21 P 12:53

CHERYL A. MONTANARI  
Plaintiff

vs.

BLAIRE HOUSE OF MILFORD; ESSEX  
GROUP MANAGEMENT CORP.  
THOMAS SULLIVAN, alias; and  
MAUREEN GULINO, alias  
Defendants

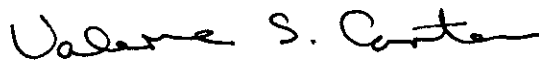
C.A. No. 04-40012-NMG

**NOTICE OF WITHDRAWAL OF REMOVAL PETITION**

The defendants, BLAIRE HOUSE OF MILFORD, ESSEX GROUP MANAGEMENT CORP., THOMAS SULLIVAN, alias; and MAUREEN GULINO, alias (collectively, "Defendants") hereby notify this Court of its withdrawal of Verified Notice of Removal of Action Under 28 USC §1441(b) filed January 22, 2004 ("Notice"). The withdrawal of the Notice is based on Plaintiff's withdrawal of all federal law claims, is evidenced by the attached Stipulation.

Respectfully Submitted,

Defendants,  
By their attorney,



Valerie S. Carter  
BBO No. 545412  
CARTER & DOYLE LLP  
530 Atlantic Avenue  
Boston, MA 02210  
617-348-0525  
[vcarter@carterdoyle.com](mailto:vcarter@carterdoyle.com)

DATED: April 20, 2004

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2004 a true copy of the above document  
was served upon the attorney of record for each other party by mail, postage prepaid.

Valerie S. Carter  
Valerie S. Carter, Esq.

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SC.

SUPERIOR COURT

CHERYL A. MONTANARI  
Plaintiff,

vs.

BLAIRE HOUSE OF MILFORD;  
ESSEX GROUP MANAGEMENT CORP.,  
THOMAS SULLIVAN, alias; and  
MAUREEN GULINO, alias,  
Defendants

:  
:  
:  
:  
:  
:  
:  
:  
:

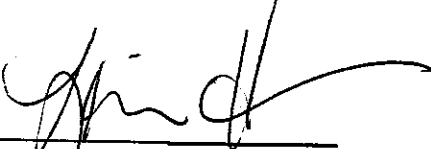
WOCV2003-02473-B

STIPULATION

The undersigned parties hereby stipulate and agree as follows:

1. That Plaintiff will file an Amended Complaint, withdrawing claims pursuant to the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§12101, et seq., or Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §2000e, et seq.
2. That Plaintiff will not seek to further amend the Amended Complaint to include any claims based on any other federal statute or law giving rise to federal question jurisdiction, including claims pursuant to the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§12101, et seq., or Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §2000e, et seq.
3. That Defendants will withdraw the Verified Notice of Removal of Action dated January 20, 2004, filed pursuant to 28 U.S.C. §1441(b).


Attorneys for the Plaintiff,  
SINAPI, FORMISANO & COLEMAN, LTD.



Louise A. Herman (#548995)  
100 Midway Place, Suite 1  
Cranston, RI 02920-5707  
(401) 944-9690

Date: 3/4/04

Attorneys for Defendants,  
CARTER & DOYLE, LLP



Valerie S. Carter  
530 Atlantic Ave., 3<sup>rd</sup> Floor  
Boston, MA 02210  
(617) 348-0525

Date: 4/5/04